



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 31 अगस्त, 1985/9 भाद्रपद, 1987

हिमाचल प्रदेश सरकार

LABOUR DEPARTMENT

NOTIFICATION

Shimla-2, the 6th August, 1985

No. 6-2/85-Shram.—Whereas it appears to the Governor, Himachal Pradesh that there is an Industrial Dispute between the United Vanaspati Mazdoor Union and the Management of M/s United Vanaspati Works (Pvt.), Ltd., Manjholi, District Solan;

And whereas after considering the report of the Labour-cum-Conciliation Officer, Solan under section 12(4) of the Industrial Disputes Act, 1947, the Governor, Himachal Pradesh is satisfied that this matter may be referred to the Himachal Pradesh Labour Court, Shimla for adjudication;

Now, therefore, the Governor, Himachal Pradesh in exercise of the powers vested in him under section 12(5) read with section-10 of the Industrial Disputes Act, 1947 (Act No. 14 of

1947) hereby refer this matter to the Himachal Pradesh Labour Court, Shimla constituted under section-7 of the Industrial Disputes Act, 1947 for adjudication as under:—

“The workers resorted to strike when the allegation regarding non-implementation of agreement dated 21-3-1985 was being looked into by the Conciliation Officer-cum-Labour Officer, Solan. The illegality or otherwise of strike may be determined.”

A copy of the memorandum of settlement between workers and management of M/s United Vanaspati Works (Pvt.), Ltd., Manjholi, District Solan is attached.

Memorandum for Settlement between workmen and the management of M/s United Vanaspati Works (P.) Ltd., Manjholi, Nalagarh, District Solan (H.P.), under section 12(3) of the Industrial Disputes Act, 1947

REPRESENTATIVES OF THE PARTIES

A. For the Management:

- | | | |
|---------------------------------|----|----------------------------|
| 1. Shri Shashi Bhushan Mahen .. | .. | .. Managing Director |
| 2. Shri Baldev Singh Kang .. | .. | .. Joint Managing Director |
| 3. Shri Avninder Thakur .. | .. | .. Director |

B. For the Workmen:

- | | | |
|----------------------------|----|------------------------------------|
| 1. Shri M.D. Tripathi .. | .. | .. President (Un-registered Union) |
| 2. Shri Mohan Singh .. | .. | .. General Secretary (-do-) |
| 3. Shri M.C. Pandey .. | .. | .. Treasurer |
| 4. Shri Sher Singh .. | .. | .. Advisor |
| 5. Shri Gurdev Singh .. | .. | .. Assistant Advisor |
| 6. Shri Bachan Singh .. | .. | .. President (Registered Union) |
| 7. Shri Ranghubir Singh .. | .. | |

SHORT RECITAL

Whereas the workmen through their Unions, that is, United Vanaspati Workers Union had served Demand Notice dated 23-1-1985 and 11-1-1985, and whereas after mutual discussions. The matter was also taken into conciliation by the Conciliation Officer, Solan. The following settlement has been arrived at in the course of and as a result of the conciliation proceedings.

TERMS OF SETTLEMENT

1. It is settled that the factory is an infant unit, having been commissioned only in June, 1983, has not attained the ability or stability to bear any extra burden and is still running under losses. The workmen representative, therefore agree not to press all the financial demands.
2. That it is also settled that, the Bonus Act, Provident Fund Act and ESI Act are not as yet applicable in the factory and therefore the demands regarding the said provisions are withdrawn by the workmen till the said Acts are legally applicable.
3. It is settled that the wages structure of the monthly rated workmen is comparable to other factories in the region and therefore at this stage no increase is pressed, however, the management has assured that they will examine grade and scales of different categories of workmen in due course so as to ensure some annual increments.

4. It is agreed that the present wage rates of daily paid workmen will be increased by Rs. 1.25 (Rupees one and paise twenty five only) per day with effect from 1-2-1985, over and above the rate which each one of such workman is drawing. It is further agreed that in case a daily worker is actually present for six days in a week the succeeding weekly rest will be conceded as a paid holiday.

5. That the management has assured that all legal facilities as may be permissible under the law like overtime etc. will be fully implemented.

6. That this settlement is a package deal in lieu of all the demands contained in both the demand notices, and the demands not specifically mentioned in the settlement shall be deemed to have been settled as withdrawn by the workmen.

7. That in lieu of the settlement the workmen have undertaken to work faithfully and in discipline and to make every effort to increase the productivity in quality and quantity and not to resort to any agitational approach by way of strike, slow downs, demonstrations etc. or to raise any financial demands during the currency of the settlement, which is fixed for a minimum period of two years, that is upto 31-1-1987.

Signature of Management Representative

Signature of the Union Representative

1.

2.

3.

4.

Witnesses:

1.

2.

Signed in my presence Conciliation Officer, Solan (HP)

Sd/-

Labour-cum-Conciliation Officer,
South Zone, Solan.

By or 'er,

S /-

Secretary.

ANIMAL HUSBANDRY DEPARTMENT

NOTIFICATIONS

Shimla-171002, the 29/30th July, 1985

No. Ahy-F(5)-3/85.—In exercise of the powers vested in him under section 45(1) of the Indian Veterinary Council Act (Central Act No. 52 of 1984), the Governor, Himachal Pradesh is pleased to constitute a Registration Tribunal consisting of the following for the purpose of preparing the first State Veterinary register:—

(1) Dr. V. L. Mehta, Director of Animal Husbandry, Himachal Pradesh, Shimla-171002.

(2) Dr. R. C. Chaudhary, Project Officer, ICDP, Gannahatti, Shimla, Himachal Pradesh.

(3) Dr. J. N. Batta, Joint Director (AH), Palampur, District Kangra, Himachal Pradesh.

The Registrar of the State Veterinary Council Dr. Dashrath Raj, notified *vide* Notification of even number dated the 29th July, 1985 shall be the Secretary of this Tribunal.

Shimla-171002, the 29/30th July, 1985

No. Ahy-F(5)-3/85.—In exercise of the powers vested in him under section 45(2) of the Indian Veterinary Council Act, 1984, the Governor, Himachal Pradesh is pleased to fix 15th October, 1985 as the date on or before which applications for registration in State Veterinary Register accompanied by the prescribed fee, shall be made to the Registration Tribunal).

Shimla-171002, the 29/30th July, 1985

No. Ahy-F(5)-3/85.—In exercise of the powers vested in him under section 32(1) of the Indian Veterinary Council Act, 1984, the Governor, Himachal Pradesh is pleased to establish a State Veterinary Council consisting of the following members:—

- (i) Director of Animal Husbandry (*ex-officio*).
- (ii) Dr. Dashrath Raj, Registrar of the State Veterinary Council (*ex-officio*).
- (iii) Dr. P. S. Sen, member nominated by the State Veterinary Association.

Members nominated by the State Government

- (iv) Dr. H.R. Joshi, Retd. Deputy Director, Village & P.O. Badeli, District Una.
- (v) Dr. P.N. Sharma, Retd. Deputy Director, Shekhar Niwas, Shakti Nagar, Solan.
- (vi) Dr. Sardul Singh, Retd. D.A.H.O. c/o Himachal Plastic Rubber and General Store, Nurpur, District Kangra, Himachal Pradesh.

The member at Serial No. (ii) will hold office for a term of 3 years or till his successor is nominated whichever is longer.

The members at Serial No. (iv), (v) and (vi) will hold office during the pleasure of the State Government.

Shimla-171002, the 29/30th July, 1985

No. Ahy-F(5)-3/85.—In exercise of the powers vested in him under section 45(1) of the Indian Veterinary Council Act, 1984 (Central Act No. 52 of 1984), the Governor, Himachal Pradesh is pleased to appoint Dr. Dashrath Raj as the Registrar of the Himachal Pradesh State Veterinary Council. He shall hold this office during the pleasure of the State Government.

Shimla-171002, the 29/30th July, 1985

No. Ahy-F(5)-3/85.—In exercise of the powers vested in him under section 45(4) of the Indian Veterinary Council Act, 1984 (Central Act No. 52 of 1984), the Governor, Himachal Pradesh, is pleased to order that the Secretary to the Government of Himachal Pradesh Animal Husbandry Department, shall be the authority to hear the appeals against the orders of the Registration Tribunal, notified *vide* notification of even number dated the 29th July, 1985.

By order,
B. C. NEGI,
Secretary.

TOURISM DEPARTMENT

ADDENDUM

Shimla-171002, the 5th August, 1985

No. 9-3/80-TD(Sectt.).—In continuation of this Department's notification of even number, dated the 4th April, 1984, regarding the re-constitution of High Powered Co-ordination State Level Committee, the Governor, Himachal Pradesh is pleased to order the addition of para 2 and 3 as under:—

Para 2.—The non-official members of the Committee would be given T.A./D.A. for attending meetings of the Committee by the Commissioner, Tourism out of sanctioned Budget Grants under Major Head "339-Tourism" in accordance with annexure 'A'.

Para 3.—This issues with the prior concurrence of the Finance Department obtained *vide* their U.O. No. 1208-11-18/71(C)-II, dated 17-6-1985.

ANNEXURE 'A'

ENTITLEMENT TO T.A./D.A. OF NON-OFFICIAL MEMBERS

(A) *Travelling allowances.*—He will be treated at par with Government servant of the first grade, and will be entitled to actual rail fare of the class of accommodation actually used but not exceeding the fare to which the Government servant of the first grade is normally entitled *i.e.* accommodation of the highest class by whatever name it may be called, provided on the railway by which the journey is performed except A.C.C. in accordance with the modified T.A. instructions issued *vide* O.M. No. 3-4/74-Fin (Reg) dated the 21st October, 1974 and other orders issued from time to time.

(1) *Journey by road.*—He will be entitled to actual fare for travelling by taking a single seat in a public bus and if the journey is performed by motor cycle/secooter, mileage allowance at 65 paise per km. for hilly areas and 50 paise per km. for plain areas and if the journey is performed by own car/taxi the member will be entitled to mileage allowance at Rs. 1.65 per km. when journey is performed in plain areas and Rs. 2-00 per km. in hilly areas.

(ii) In addition to the actual fare or mileage as per item (i) and (ii) above a member shall draw daily allowance for the entire absence from his permanent place of residence starting with departure from that place and ending with arrival at that place at the same rate and subject to the same terms and conditions as apply to grade-I officers of the State Government.

(B) *Daily allowances.*—(i) Non-official members will be entitled to draw daily allowance for each day of the meeting at the highest rates as admissible to Government servant of the first grade for respective locality.

(ii) In addition to daily allowance for the day(s) of the meeting a member shall also be entitled to daily allowance for halt on tour at out station in connection with the affairs of the Committee as under:—

- | | |
|---|----------|
| (a) If the absence from headquarters does not exceed 6 hours | .. Nil. |
| (b) If the absence from headquarters exceeds 6 hours but does not exceed 12 hours | .. 70% |
| (c) If the absence from headquarters exceeds 12 hours | .. Full. |

(C) *Conveyance Allowance.*—A member resident at a place where the meeting of the Committee is held will not be entitled to travelling and daily allowances on the scales indicated

above but will be allowed on the actual cost of conveyance hire, subject to a maximum of Rs. 10.00 per day. Before the claim is actually paid the Controlling Officer should verify the claims and satisfy himself after obtaining such details as may be considered necessary that the actual expenditure was not less than the amount claimed.

If such a member used his own car, he will be granted mileage allowance at the rates admissible to officials of the 1st grade subject to a maximum of Rs. 10.00 per day.

(D) The Travelling and Daily allowance will be admissible to member on production of a certificate by him to the effect that he has not drawn any travelling or daily allowance for the same journey and halts from any other Government source.

(E) The member will be eligible for travelling allowance for the journey actually performed in connection with the meetings of the Committee from and to the place of their permanent residence to be named in advance. If the member performs a journey from a place other than the place of his permanent residence to attend a meeting or returns to a place other than the place of his permanent residence after the termination of the meeting, travelling allowance shall be worked out on the basis of the distance actually travelled, or the distance between the place of permanent residence and the venue of the meeting whichever is less.

(F) The members of Parliament who are also members of the Committee Tourism High Powered Co-ordination Committee shall be entitled to T.A./D.A. in respect of journeys performed by them in connection with the work of the Committee on the same scale as is admissible to them under Salaries and Allowances of Members of Parliament as amended from time to time.

(G) The non-official members who are members of the Vidhan Sabha shall be entitled to T.A./D.A. in respect of journeys performed in connection with the work of the Committee on the scale as admissible to them under Salaries and Allowances of Members of the H.P. Legislative Assembly Act as amended from time to time.

The members will not be entitled to daily allowance in connection with their assignment when the Vidhan Sabha or the Vidhan Sabha Committee on which the members are serving is in session as they will be drawing their daily allowance under the Salaries and Allowances of Members of Legislative Assembly (H.P.) Act, 1971 from Vidhan Sabha. However, if they certify that they were prevented from attending the session of the House, or the Vidhan Sabha Committee and did not draw any daily allowance from the Vidhan Sabha they would be entitled to daily allowance at the rates as prescribed.

The member will also not draw T.A. and D.A. including conveyance allowance which will disqualify them from the Vidhan Sabha.

The T.A./D.A. to the non-official members of the Committee will be given by the Department of Tourism. The expenditure will be debitable to Major Head "339—Tourism (a) Direction and Administration (a)(i) Directorate, Travel expenses".

The provisions of rules 4.7 and 6.1 of the Treasury Rules will apply mutatis mutandis, in the case of over-payment made on account of T.A. to the non-official members.

(I) The Commissioner, Tourism will be the Controlling Officer in respect of the payment and countersignature of the T.A. bills of the non-official members.

A. K. GOSWAMI,
Commissioner-cum-Secretary.